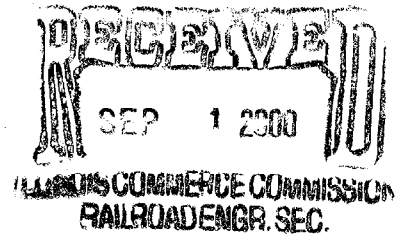


STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

State of Illinois)
Department of Transportation,)
Petitioner,)
v.)
Canadian National Illinois Central Railroad (CNIC))
and the City of Effingham)
Respondents.)

Docket No. 700-0088

Petition (1) to install a pre-signal on the eastbound approach of)
Evergreen Avenue of the at-grade crossing of CNIC's single main)
line track, (2) to interconnect the newly installed traffic signals at)
the intersection of Evergreen Avenue and U.S. 45 with the railroad)
warning devices at the Evergreen Avenue at-grade crossing of the)
CNIC's single main line track and (3) to establish the amount of)
minimum preemption time provided by CNIC to the Department for)
the traffic signal preemption sequence at said intersection, located)
in Effingham, Illinois.)



PETITION

Petitioner, State of Illinois, Department of Transportation ("Department"), by its attorney Jim Ryan, Attorney General, files its Petition and in support thereof states as follows:

1. That the Canadian National Illinois Central Railroad (CNIC) whose address is 455 N. Cityfront Plaza Dr., Chicago, Illinois 60611-5317 is a rail carrier operating its lines of railroad in the State of Illinois including a single main line track passing through the City of Effingham, Illinois.
2. That within the City of Effingham, Evergreen Avenue is a public street under the jurisdiction of the City, which crosses the aforesaid line of railroad at-grade. Said crossing is identified as DOT/FRA 289-180B.
3. That approximately 90 feet east of said crossing, Evergreen Avenue intersects with U.S. 45.
4. That U.S. 45 is under the jurisdiction of the Department and that all highway traffic control devices governing the flow of traffic along U.S. 45 from Evergreen Avenue are under Department jurisdiction, however, the signals are maintained by the City pursuant to a master agreement dated June 2, 1980.
5. That the Evergreen Avenue at-grade crossing of the aforesaid single main line track of railroad is protected by automatic flashing lights and gates.
6. That in the interest of public safety, the Department proposes to replace the existing STOP sign controlling highway traffic at the U.S. 45 and Evergreen Avenue intersection with traffic signals.
7. That in the interest of public safety, the Department proposes to install pre-signals controlling the eastbound traffic on Evergreen Avenue onto the traffic signal mast arm as designed in the plans attached hereto and marked as Exhibit 1.
8. That in order to further promote public safety, the operation of the existing automatic flashing lights and gates at the Evergreen Avenue at-grade crossing need to be interconnected with the

DOCKETED

operation of the traffic control signal system at the Evergreen Avenue and U.S. 45 intersection. The proposed traffic signal plans for said location is attached hereto as Exhibit 1.

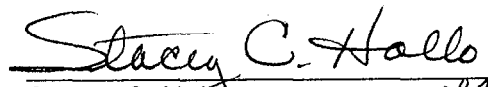
9. Furthermore, that the minimum simultaneous preemption time provided by CNIC to the Department for the proposed traffic signal preemption sequence at the Evergreen Avenue at-grade crossing should be 27 seconds based on the proposed traffic signal timing sequence delineated in the table attached hereto and marked as Exhibit 2.
10. That the Illinois Commerce Commission has jurisdiction to approve and order the requested changes pursuant to the Illinois Commercial Transportation Law (625 ILCS 5/18C-7401) and the Illinois Administrative Code (92 Ill. Adm. Code 1535 et seq).

NOW, THEREFORE, petitioner, Illinois Department of Transportation, prays that the Illinois Commerce Commission order, in accordance with its authority, the following:

1. That a hearing be held at the Commission's offices in Springfield, Illinois, within 70 days of this filing;
2. That a notice be issued directing the CNIC submit detailed estimates for the proposed project at least 10 days prior to the scheduled hearing;
3. That the Department install presignals on the eastbound approach of Evergreen Avenue as designed in Exhibit 1;
4. That the operation of the automatic flashing lights and gates at the Evergreen Avenue at-grade crossing be interconnected with the operation of the traffic signals at the adjacent intersection;
5. That the CNIC provide to the Department a minimum simultaneous preemption time of 27 seconds at the Evergreen Avenue at-grade crossing for its traffic signal preemption sequence;
6. That the costs associated with the requested changes be apportioned fairly and reasonably between the parties.

Respectfully submitted,
ILLINOIS DEPARTMENT OF TRANSPORTATION

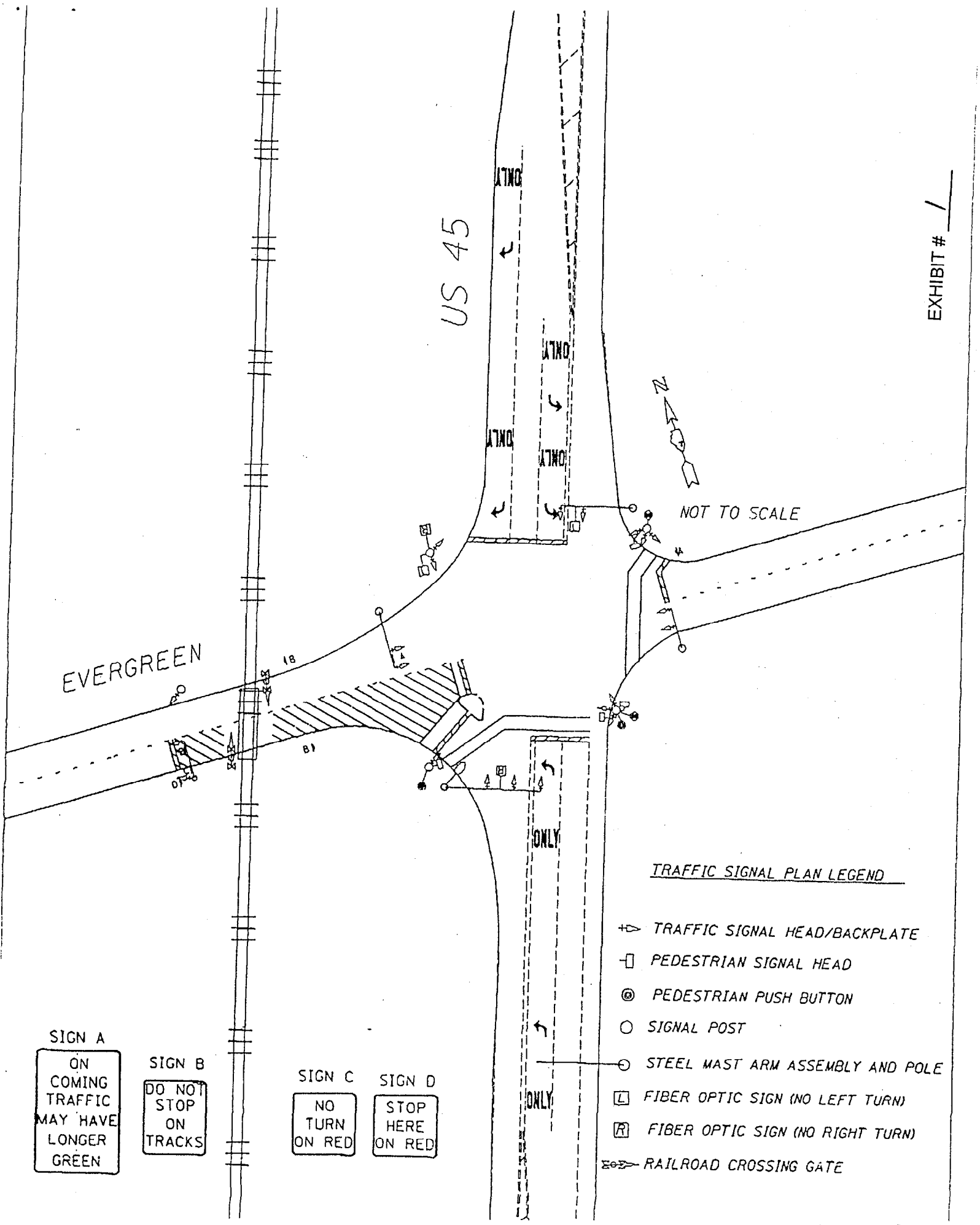
By: Jim Ryan
Attorney General



Stacey C. Hall *LB*
Special Assistant Attorney General

Dated August 30, 2000

Illinois Department of Transportation
2300 South Dirksen Parkway, Room 311
Springfield, Illinois 62764
Telephone (217) 782-3215



US 45 @ Evergreen

PROPOSED MINIMUM PREEMPTION TIME

	TIME NEEDED
Delay	1
Minimum Green (sec)	1
Yellow Interval (sec)	4.5
All Red Interval (sec)	10
Maximum Time Prior to Track Clear Phase	7.5
Track Clearance (sec)	10.5
Separation Time	9
Min. RR Warning Time Required (Total seconds)	27

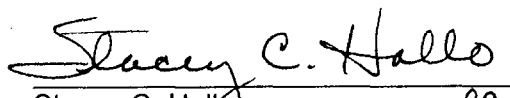
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NOTICE OF FILING

TO: Mr. Richard A. Verkler, CNIC
Mr. Rick Goeckner, City Clerk

PLEASE TAKE NOTICE that I have this 30th day of August, 2000, forwarded to Mr. Kevin Sharpe, Director of Processing, Transportation Division, of the Illinois Commerce Commission, Springfield, Illinois, for filing in the above matter, a Petition, a copy of which is attached hereto and hereby served upon you.


Stacey C. Holl) LB
Special Assistant Attorney General
2300 South Dirksen Parkway
Room 311
Springfield, Illinois 62764
(217) 782-3215

Counsel for the Illinois
Department of Transportation

PROOF OF SERVICE

The undersigned hereby certifies that a copy of the foregoing instrument was served upon the addressees listed below by facsimile and by mailing a true and correct copy via first class mail, postage pre-paid and depositing the same in the United States Mail, Springfield, Illinois, this 30th day of August, 2000:

Stacey C. Halle

Mr. Richard A. Verkler
Canadian National Illinois Central
455 N. Cityfront
Chicago, IL 60611-5317

Mr. Rick Goeckner
City Clerk
201 E. Jefferson
Box 648
Effingham, IL 62401